

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RICHARD D. PHILLIPS,

Plaintiff,

v.

Case No. 09-CV-547

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

On June 1, 2009, plaintiff Richard D. Phillips ("Phillips") filed a complaint seeking review of a decision by the Commissioner of Social Security ("Commissioner") denying Phillips's application for disability insurance benefits. The defendant has filed a motion to remand this case pursuant to section 205(g) of the Social Security Act, 42 U.S.C. § 405(g) because the administrative record is incomplete.

Under 42 U.S.C. § 405(g), the Commissioner may move, before answering a Social Security complaint and for good cause, to remand a case for further proceedings. Here, the defendant asks the court to remand because file documents must be located and admitted into the record. The court finds good cause and will remand the matter.

Accordingly,

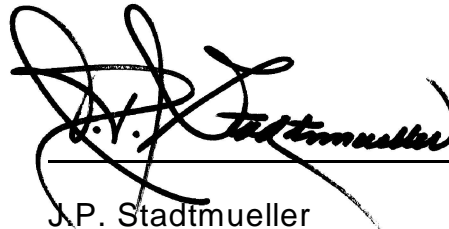
IT IS ORDERED that the defendant's motion to remand (Docket #6) be and the same is hereby **GRANTED**; this case shall be **REMANDED** to the Social Security Administration for further proceedings; and

IT IS FURTHER ORDERED that this action be and the same is hereby **DISMISSED**.

The Clerk is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 30th day of July, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge